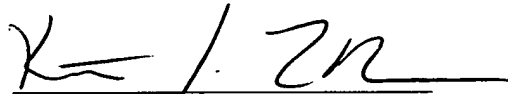


suggested, as having means for enabling treatment of tissue. Accordingly, Maly cannot anticipate Claim 7, and withdrawal of the anticipation rejection of Claim 7 and of its dependent claims is requested.

In regards to Claim 10, it cannot be said that Maly discloses both an imaging step and a treating step that comprises focusing, scanning, and passing reflected light from tissue with the aid of optics, where Maly optical system 120 (FIG. 2A) although providing imaging, is not described by Maly as providing treatment through its objective lens 290.

It is believed the Application is in condition for allowance. If a Notice of Allowance is not forthcoming, entry of this Response for purposes of Appeal is requested. A petition for a two-month extension of time is enclosed with a check for the required petition fee of \$225.00.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. J. LuKacher', written over a horizontal line.

Kenneth J. LuKacher  
Attorney for Applicant(s)  
Registration No. 38,539

Dated: April 3, 2006

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Telephone: (585) 424-2670  
Facsimile: (585) 424-6196

Enclosure: Petition for a two-month extension of time with a Check for \$225.00